

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESALE PRICE
LITIGATION

THIS DOCUMENT RELATES TO:

State of Connecticut v. GlaxoSmithKline
PLC, et al., Civ. Action No. 1:03-cv-
11348-PBS

State of Connecticut v. Pharmacia Corp.
Civ. Action No. 1:03-cv-113490-PBS

State of Connecticut v. Dey, Inc.,
Civ. Action No. 1:03-cv-11351-PBS

State of Connecticut v. Aventis
Pharmaceuticals, Inc., Civil Action
No. 1:03-cv-11350-PBS

People of the State of New York v.
Pharmacia Corp., Civ. Action No.
1:03-cv-11227-PBS

People of the State of New York v.
Aventis Pharmaceuticals, Inc.,
Civ. Action No. 1:03-cv-11228-PBS

People of the State of New York v.
GlaxoSmithKline PLC, Civ. Action
No. 03-cv-299

MDL NO. 1456

CIVIL ACTION NO.
01-12257-PBS

ORDER OF REMAND


September 30, 2003

Saris, U.S.D.J.

The Court **DENIES** defendants' motion for certification of an
interlocutory appeal pursuant to 28 U.S.C. § 1292(b) (Docket No.
497). See State of Montana v. Abbott Labs, 266 F.Supp.2d 250,

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256 (D. Mass. June 11, 2003); State of Minnesota v. Pharmacia Corp., Civ. Action No. 03-10069-PBS, slip op. at 4-5 (D. Mass. Aug. 20, 2003). An interlocutory appeal will delay the litigation and my opinions are consistent with the weight of the caselaw. The Court **ALLOWS** the states' motions to remand.


PATTI B. SARIS
United States District Judge